



## Chesterfield County, Virginia

### Memorandum

**DATE:** AUGUST 27, 2003

**TO:** CHESTERFIELD COUNTY PLANNING COMMISSION

**FROM:** THOMAS E. JACOBSON, DIRECTOR OF PLANNING *Tom*

**SUBJECT:** AMENDMENT OF SECTION 17-83 OF THE SUBDIVISION ORDINANCE

PROPOSED AMENDMENT: The attached amendment to Section 17 – 83 of the Subdivision Ordinance establishes standards for lots impacted by wetlands, floodplains or RPA's.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the amendment.

BACKGROUND: At the July 15, 2003 and August 19, 2003 work sessions, the Planning Commission discussed a proposed amendment to the Subdivision Ordinance. The amendment would require lots or parcels that are substantially divided by environmental features such as wetlands, RPA's, or floodplains to contain a minimum contiguous area of not less than 9,000 square feet that is:

- a. exclusive of the environmental features, and
- b. located adjacent to the required street frontage and between the street frontage and the environmental features.

A lot will not be considered to be substantially divided if an existing natural and continuous accessway, a minimum of fifteen (15) feet in width, provides access from the front of the lot to any proposed building envelope that is not adjacent to the street frontage.

The requirements will not apply to:

- a. residential townhouse lots,
- b. lots that are permitted by zoning conditions to be less than 9,000 square feet, provided that the lot contains a minimum contiguous area equal to or greater than the minimum lot size required by the zoning conditions, and
- c. lots where:
  - i. the United States Army Corps of Engineers and any state regulatory

agency having jurisdiction approves a crossing of the environmental features, and

- ii. the minimum contiguous area exclusive of the environmental features is not less than 9,000 square feet, and
- iii. the minimum contiguous area is located on that portion of the lot that is connected by the crossing. The size of drainage structures for any such crossing shall also satisfy the requirements of the Department of Environmental Engineering's Reference Manual.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY  
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING  
AND RE-ENACTING SECTION 17-83 RELATING TO LOT AND  
PARCEL STANDARDS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Section 17-83 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:*

**Sec. 17-83. Minimum requirements.**

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- (i) (1) All lots that receive tentative approval after (INSERT EFFECTIVE DATE OF AMENDMENT), and which are substantially divided by environmental features such as wetlands, RPA's, or floodplains with a combined drainage basin exceeding fifty (50) acres, shall contain a minimum contiguous area of not less than 9,000 square feet that is:
  - a. exclusive of the environmental features, and
  - b. located adjacent to the required street frontage and between the street frontage and the environmental features.
- (2) For purposes of this subsection, a lot shall not be considered to be substantially divided if an existing natural and continuous accessway, a minimum of fifteen (15) feet in width, provides access from the front of the lot to any proposed building envelope that is not adjacent to the street frontage.
- (3) The requirements of this subsection shall not apply to:
  - a. residential townhouse lots,
  - b. lots that are permitted by zoning conditions to be less than 9,000 square feet, provided that the lot contains a minimum contiguous area equal to or greater than the minimum lot size required by the zoning conditions, and
  - c. lots where:
    - i. the United States Army Corps of Engineers and any state regulatory agency having jurisdiction approves a crossing of the environmental features, and
    - ii. the minimum contiguous area exclusive of the environmental features is not less than 9,000 square feet, and
    - iii. the minimum contiguous area is located on that portion of the lot that is connected by the crossing. The size of drainage structures

for any such crossing shall also satisfy the requirements of the  
Department of Environmental Engineering's Reference Manual.

- (2) *That this ordinance shall become effective immediately upon adoption.*